

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARSH & MCLENNAN AGENCY LLC,

Plaintiff,

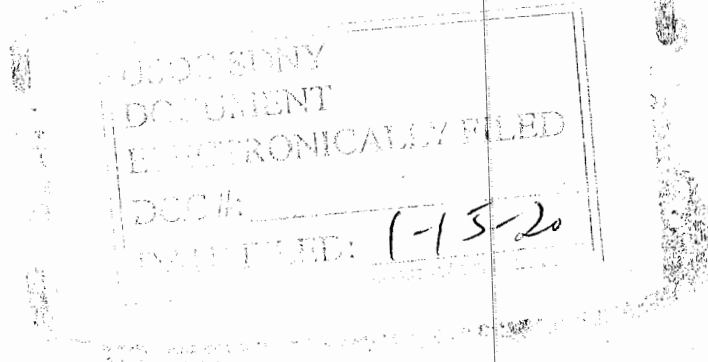
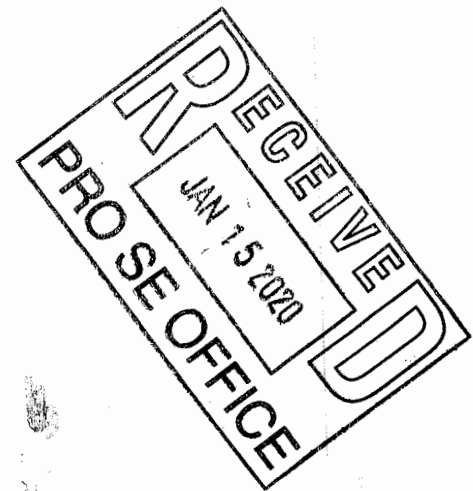
-against-

ELMER "RICK" FERGUSON,

Defendant.

No. 19-cv-03837 (VSB)

**SUPPLEMENTAL POST-EVIDENTIARY HEARING SUBMISSION IN FURTHER
SUPPORT OF DEFENDANT'S OBJECTIONS FOR AUTHENTICITY AND MOTION
TO DISMISS**



Defendant Elmer "Rick" Ferguson ("Defendant" or "Mr. Ferguson") respectfully asks the Court to accept the attached Declaration and Exhibit A, a true copy of an internal change form from Defendants company file given to Defendant previously by Plaintiff, and referenced by Plaintiff witness declaration of William J. Peartree.

Plaintiff submitted (docket document #105) a Declaration of William J. Peartree dated December 20, 2019, with an Exhibit B (docket document #105-2), purported to be a true and accurate copy of "...an internal change form and a Client Service Executive Bonus Plan document reflecting the change..." (Decl W.J. Peartree, line 11)

The subject matter of Mr. Peartree's Declaration and related Exhibit is only vaguely related to Plaintiff's complaints, intended only to falsely smear Defendant's reputation, and is appropriately the subject of matters filed with FINRA for arbitration regarding the document authenticity and past payments due to Defendant. But this document submitted by Plaintiff is relevant in that from a basic comparison of the original document attached here as Exhibit A, and Mr. Peartree Declaration's altered Exhibit B, it is clear that Plaintiff continues to submit maliciously alter documents and falsify evidence.

Defendant again objects to Plaintiff's documents on grounds of authenticity, and again Motions the Court for dismissal of all Plaintiff's motions and requests for reasons already stated and submitted.

Dated: January 9, 2020
San Bruno, CA

Respectfully submitted,

/s Elmer R. Ferguson
Elmer R. Ferguson
Defendant, Pro Se
753 Mills Ave, San Bruno, CA 94066

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARSH & MCLENNAN AGENCY LLC,
Plaintiff,
-against-

ELMER "RICK" FERGUSON,
Defendant.

No. 19-cv-03837 (VSB)

**SUPPLMENTAL DECLARATION OF
ELMER FERGUSON**

Elmer Ferguson, declares pursuant to 28 U.S.C. § 1746 and subject to the penalties of perjury that the following is true and correct:

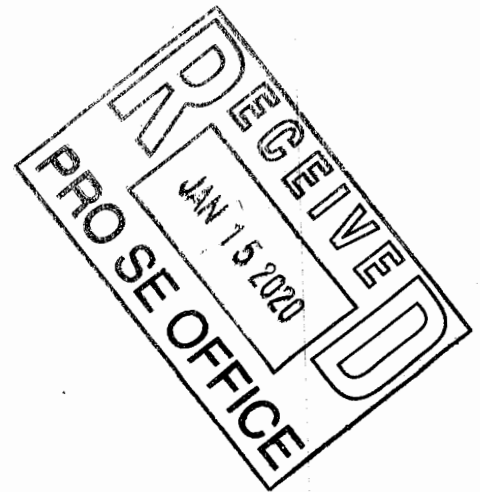
1. The attached Exhibit A is a true and accurate copy of an internal change form given to me by Marsh & McLennan Agency when I requested a copy of my company file.

Dated: January 9, 2020

San Francisco CA



Elmer Ferguson



**Supplemental Declaration of Elmer Ferguson dated January 9,
2020**

Exhibit A

MMA Internal Change Form Original Copy

1049504

PERSONNEL CHANGE NOTICE**CONFIDENTIAL**Name Ferguson
LastRick
First Middle Initial

Social Security # _____

Indicate change by checking appropriate box(es).

☐ Name Change

Effective Date of Change _____

New Name _____

Last

First Middle Initial

Reason for Change _____

☐ Change in Marital Status

Effective Date of Change _____

Marital Status ☐ Single ☐ Married ☐ Divorced☐ Change in Pay Rate☐ Promotion☐ Transfer

Effective Date of Change 1/1/15

Current InformationJob Title: Client Executive Sales **M44F10**Supervisor / Dept.: Jeff Calder / EB Retirement
Services in Walnut Creek office

Exempt or Non-Exempt: Exempt

Pay Rate: \$84,984 draw/yr + 10% earned net new
revenue

Time and a Half Pay Rate: \$

Double Time Pay Rate: \$

New InformationJob Title: Client Executive Service **IPE012**

Supervisor / Dept.: SAME

Exempt or Non-Exempt: Exempt

Pay Rate: \$90,000 salary/yr + bonus plan (see
'other' information below)

Time and a Half Pay Rate: \$

Double Time Pay Rate: \$

Next Review Date: _____

Retro pay calculation

Amount of Increase _____

Pay Per End

Hrs Worked

Amt. of Inc.

Total Retro Due _____☒ Other (please explain)

Rick is eligible for two types of bonuses:


1. the standard CE Service Bonus Plan attached to this change form
2. the additional bonus described in the Addendum noted in the CE Service Bonus Plan

IMPORTANT NOTE REGARDING BONUS PLAN: Under this bonus structure, Rick is bonused twice on the same client:

- once for being predominately responsible to engage a new Retirement Services prospect and then working with a Salesperson who is registered with SagePoint to obtain the broker of record letter.
- again for servicing these same clients under the "Book Target" component of the annual Client Executive Service Bonus plan as his book is credited with these new clients he assisted in bringing to B&B.

Signatures:

Supervisor



Human Resources



Date

3/9/15

Date

3/9/15

edEx

Express

US MAIL
SDNY

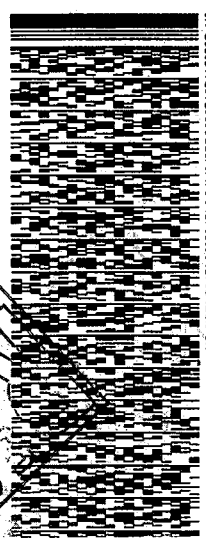
ORIGIN ID: BMCA (650) 871-6251
RICK FERGUSON
1212H EL CAMINO REAL
SAN BRUNO, CA 94066
UNITED STATES US

SHIP DAT
ACTMGT:
CAD: 114

BILL SEN

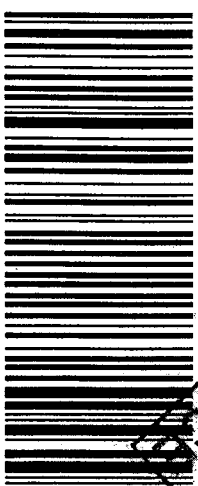
TO US DISTRICT COURT SOUTHERN
PRO SE INTAKE UNIT
500 PEARL ST
STE 200

NEW YORK NY 10007
(619) 980-2074
REF: RICK FERGUSON
DEPT: 101



TRK# 7795 6085 9966
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PL
TUES
JAN 15 2020
SE OFFICE